

# **EXHIBIT 3**

**AFFIDAVIT OF SERVICE**

State of Texas

County of Galveston

County Court At Law No. 3 Court

Case Number: CV-0091351

Plaintiff:

Allstar Stucco LLC d/b/a Allstar Stucco and Development

vs.

Defendant:

Richard Bryan Park, Bays Masonry Incorporated d.b.a PK Bays Masonry  
Contractors, and PK Masonry Contractors LLC

For:

Russell Burwell III

Burwell Nebout Trial Lawyers

Received by Martin Jesse Miller Psc# 14157 Exp. 3/31/2024 on the 4th day of May, 2023 at 2:00 pm to be served on Bays  
Masonry Incorporated D/B/A Pk Bays Masonry Contractors, 1413 Robinwood Drive, Fort Worth, Tarrant County, TX  
76111.

I, Martin Jesse Miller Psc# 14157 Exp. 3/31/2024, being duly sworn, depose and say that on the 17th day of May, 2023 at  
4:50 pm, I:

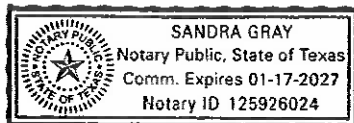
served an **AUTHORIZED** entity by delivering a true copy of the Citation, Plaintiff's Original Petition, Exhibit A, Exhibit  
B, Exhibit C, Exhibit D, Exhibit E, Exhibit F, Exhibit G, Exhibit H with the date and hour of service endorsed thereon by  
me, to: **Billie Kay Dixon as Registered Agent** at the address of: **1413 Robinwood Drive, Fort Worth, Tarrant County,  
TX 76111**, who stated they are authorized to accept service for **Bays Masonry Incorporated D/B/A Pk Bays Masonry  
Contractors**, and informed said person of the contents therein, in compliance with state statutes.

I am not a party to this case nor am I related to, employed by, or otherwise connected to **other than having been  
retained to serve process in this case** any party or any party's attorney in this case; and I have no interest in the  
outcome of this lawsuit.

I am over the age of eighteen (18) years of age. I am of sound mind and have never been convicted of a felony or  
misdemeanor involving moral turpitude.

Subscribed and Sworn to before me on the 18th day  
of May, 2023 by the affiant who is personally known  
to me.

Sandra Gray  
NOTARY PUBLIC



Martin Jesse Miller  
Martin Jesse Miller Psc# 14157 Exp. 3/31/2024  
Process Server

Bay Oaks Process, LLP  
PO Box 5703  
Pasadena, TX 77508  
(281) 815-0191

Our Job Serial Number: BYO-2023001406

County Court at Law No. 3

Allstar Stucco LLC d/b/a Allstar Stucco and Development

vs.

Richard Bryan Park, Bays Masonry Incorporated d/b/a PK Bays Masonry Contractors and PK Masonry Contractors, LLC

THE STATE OF TEXAS  
COUNTY OF GALVESTON

TO: Bays Masonry Incorporated d/b/a PK Bays Masonry Contractors - may be served by serving:  
Registered Agent: Billie Kay Dixon  
1413 Robinwood Dr.  
Fort Worth, TX 76111

GREETING:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after the date you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Said written answer may be filed by mailing same to: Galveston County Clerk's Office, 600 59th Street, Suite 2001, Galveston, Texas 77551-4180. The case is presently before Honorable Jack Ewing, County Court at Law No. 3 of Galveston County, at the Galveston County Justice Center in Galveston, Texas.

SAID PLAINTIFF'S ORIGINAL PETITION WAS FILED ON MARCH 14, 2023, under DOCKET NO. CV-0091351, with the style of the cause being: Allstar Stucco LLC d/b/a Allstar Stucco and Development vs. Richard Bryan Park, Bays Masonry Incorporated d/b/a PK Bays Masonry Contractors and PK Masonry Contractors, LLC. The name and address of the plaintiff or the attorney of record is: Russell G Burwell, III, 565 N Egret Bay Blvd League City TX 77573. A copy of Plaintiff's Original Petition together with case information statement accompany this citation and are made a part hereof.

If this citation is not served, it shall be returned unserved.

ISSUED UNDER MY HAND AND SEAL OF OFFICE, at Galveston, Texas, on this, the 31st day of March, 2023.



Dwight D. Sullivan, Galveston County Clerk  
County Court at Law No. 3  
Galveston County, Texas

By /s/ Angela Sanders Deputy  
Angela Sanders

===== OFFICER'S OR AUTHORIZED PERSON'S RETURN  
Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_M., and executed in \_\_\_\_\_ County, Texas by delivering to each of the with named person a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the Plaintiff's Original Petition, at the following times and places, to-wit:

Name	Date	Time	Place

FEES - Serving \_\_\_\_\_ Name of Officer or Authorized Person \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_ County, Texas

Authorized Person's Verification: By \_\_\_\_\_ Deputy

On this day personally appeared \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me on this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public  
In and For the State of Texas  
Notary's Name Printed: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Kimberly Mulcahey on behalf of Russell Burwell III  
Bar No. 783768  
kimberly@burwellnebout.com  
Envelope ID: 76944253  
Filing Code Description: No Fee Documents  
Filing Description: Return of Service - Bays Masonry  
Status as of 6/26/2023 10:43 AM CST

Associated Case Party: Allstar Stucco LLC

Name	BarNumber	Email	TimestampSubmitted	Status
Russell G. Burwell	783768	russ3@burwellnebout.com	6/26/2023 9:50:32 AM	SENT
Kimberly Mulcahey		kimberly@burwellnebout.com	6/26/2023 9:50:32 AM	SENT